

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7773

Joint Petition of Green Mountain Power Corporation)
("GMP") and Vermont Electric Cooperative, Inc.)
("VEC"), for authority to condemn easement rights in)
property interests of Gerard M. Laplume in Westfield,)
Vermont, and the Passumpsic Savings Bank, in St.)
Johnsbury, Vermont, for the purpose of constructing)
the 46 kV transmission line portion of the so-called)
Kingdom Community Wind Project)

Order entered: 10/5/2011

PREHEARING CONFERENCE MEMORANDUM AND SCHEDULING ORDER

I convened a Prehearing Conference in this matter on September 22, 2011. In attendance were Green Mountain Power Corporation ("GMP") and Vermont Electric Cooperative, Inc. ("VEC"), (jointly the "Petitioners") represented by Joslyn L. Wilschek, Esq., from the firm of Primmer Piper Eggleston & Cramer PC; the Vermont Department of Public Service ("Department") represented by Louise Porter, Esq.; and Gerard Laplume, represented by Duncan Kilmartin, Esq., from the firm of Rexford & Kilmartin. Mr. Kilmartin's appearance was limited to the Prehearing Conference, so for now Mr. Laplume must be considered as appearing *pro se*.

The Petitioners came prepared with a proposed schedule, which they had previously shared with the Department. Mr. Laplume did not offer a specific schedule, but through Mr. Kilmartin expressed concerns about the difficulties that a *pro se* landowner faces in participating in a condemnation proceeding such as this. I took the Petitioners' proposed schedule under advisement.

Later that day, I convened a site visit with the parties at Mr. Laplume's property.

Based on the discussion at the prehearing conference and the site visit, I encourage the Petitioners to work with Mr. Laplume and the Department to seek to address Mr. Laplume's concerns. With that in mind, I hereby establish the following schedule, which is subject to

modification for good cause (including a joint request by all parties for additional time to pursue settlement discussions):

September 23 – October 19, 2011	Rolling discovery on Petitioners, with October 19 the last day to serve written discovery. Petitioners have ten calendar days to respond to written discovery.
October 26, 2011	Landowner and DPS file initial testimony and appraisal reports
November 2, 2011	Deadline for discovery requests on Landowner and DPS
November 14, 2011	Landowner and DPS respond to discovery
November 21, 2011	Rebuttal testimony from Petitioners
November 28, 2011	Motions and stipulations due, discovery complete
week of December 5 or 12, 2011	Technical hearings, with live surrebuttal by Landowner and DPS
January 6, 2012	Briefs due
January 13, 2012	Reply briefs due

So ORDERED.

Dated at Montpelier, Vermont, this 5th day of October, 2011.

s/Kurt Janson
Kurt Janson, Esq.
Hearing Officer

OFFICE OF THE CLERK

FILED: October 5, 2011

ATTEST: s/Susan M. Hudson

Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)